



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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STATE WATER CONTROL BOARD ENFORCEMENT ACTION AMENDMENT TO SPECIAL ORDER BY CONSENT ISSUED TO HENRICO COUNTY WATER RECLAMATION FACILITY VPDES Permit No. VA0063690

SECTION A: Purpose

This is an Amendment to a Consent Special Order (hereinafter referred to as the Amendment) issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to Henrico County, for the purpose of revising certain provisions of that Consent Special Order (hereinafter referred to as the Order) issued by the State Water Control Board to Henrico County on January 7, 2003.

SECTION B: Basis for Amendment

1. Henrico County owns and operates a wastewater treatment facility in Varina, Virginia. This facility is the subject of VPDES Permit No. VA0063690, which allows Henrico County to discharge treated wastewater into the James River in strict compliance with terms, limitations and requirements outlined in the permit. The Department issued a Consent Special Order to Henrico County on January 7, 2003 for permit effluent violations and sanitary sewer overflows from the collection system.
2. To address effluent violations, the Order required Henrico County to develop and implement a detailed written interim startup program for optimizing operational efficiency of new and existing treatment units during construction of the current upgrade. Henrico County has completed all of the corrective action required to address the effluent violations. To address the sanitary sewer overflows, the Order required the submittal of a formal operation and maintenance manual for the sewer collection system and a five year schedule for the completion of previously identified

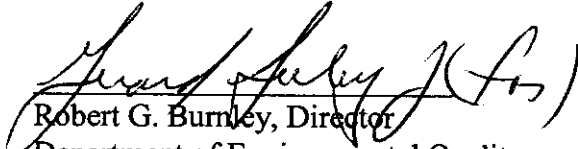
inflow and infiltration (I&I) projects. The O&M manual was submitted and Henrico County is currently completing the I&I projects. Henrico County also developed a preventative action plan to assist treatment plant operators in the diagnosis and treatment of influent constituents that may cause toxicity or inhibition to the sludge biomass. Henrico County paid a \$25,500 civil charge as part of the Consent Order.

3. On November 4, 2004, Henrico County requested the Order be amended to include an additional I&I project for the Fourmile Creek Trunk Sewer line.
4. This Amendment only addresses the addition of the Fourmile Creek Trunk Sewer Line rehabilitation Project and does not resolve any effluent violations or sanitary sewer overflows from the collection system that have occurred since the issuance of the January 7, 2003, Order. This Amendment shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the Facility as may be authorized by law; or (3) taking subsequent action to enforce this Amendment of the January 7, 2003, Order.

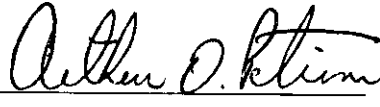
SECTION C: Agreement and Order

Accordingly, the State Water Control Board, by virtue of the authority granted it in VA Code §62.1-44.15(8a), orders Henrico County, and Henrico County agrees, to perform the actions described in Appendix #1 of this Amendment, in addition to the uncompleted requirements of the January 7, 2003 Order. Both the State Water Control Board and Henrico County understand and agree that this Amendment does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this day of March 17, 2005.


Robert G. Burnley, Director
Department of Environmental Quality

Henrico County voluntarily agrees to the issuance of this Amendment.

By: 
Date: February 7, 2005

State of Virginia

City/County of Henrico

The foregoing instrument was acknowledged before me this 7th day of February, 2005,

by Arthur D. Petrini name of person acknowledging, who is
(Name)

Director, Public Utilities of Henrico County, on behalf of Henrico County.
(Title)

Linda B. Pickett
Notary Public

My commission expires: 7/31/05

APPENDIX A

Henrico County shall:

1. Within thirty (30) days of the effective date of this Amendment, submit to the Department for approval a schedule for the construction of the Fourmile Creek Trunk Sewer Rehabilitation Project. Once approved by the Department, the schedule shall be an enforceable part of this Order.
2. On or before August 15, 2005, complete the treatment system upgrade and obtain a Certificate to Operate for the treatment plant upgrade to 75 mgd.